

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA**

MELINDA and MARK LOE,  
*et al.*,

*Plaintiffs,*

v.

WILLIE JETT, *et al.*,

*Defendants.*

Civil No. 0:23-cv-01527-NFB-JFD

**[PROPOSED] ORDER  
GRANTING PLAINTIFFS'  
MOTION FOR PARTIAL  
SUMMARY JUDGMENT**

This matter is before the Court on Plaintiffs' Motion for Partial Summary Judgment regarding Counts I-VI of Plaintiffs' verified complaint and all counts of Defendant Minnesota Department of Education's counterclaims. Having reviewed the papers filed both in support of and in opposition to this motion, the Court hereby GRANTS Plaintiffs' motion for partial summary judgment. It is hereby ORDERED:

1. The Court DECLARES that the May 24, 2023, amendment to Minn. Stat. § 124D.09, Subd. 3(a) violates the Free Exercise Clause of the First Amendment to the U.S. Constitution both on its face and as applied to Plaintiffs.
2. Defendants are permanently ENJOINED from enforcing any part of the May 24, 2023, amendment to Minn. Stat. § 124D.09, Subd. 3(a) and from otherwise denying PSEO program eligibility to Plaintiffs Crown College and University of Northwestern – St. Paul, as well as other similar institutions.
3. Defendants' counterclaims against Plaintiffs Crown College and University of Northwestern – St. Paul are hereby DENIED.
4. Plaintiffs' motion for attorneys' fees is due 60 days after the expiration of time for appeal from final judgment or after all appeals have been exhausted and the final mandate has issued.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
The Honorable Nancy E. Brasel  
United States District Judge